THE HON'BLE SRI. JUSTICE GODA RAGHURAM

W.P.No. 6821 of 2006

06-04-2006

Between:-

T. Mani Achari

Petitioner

And

The Commissioner of Endowments, Tilak Road, Abids, Hyderabad and two others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 6821 of 2006

Oral order:

Admittedly, the petitioner's lease in respect of a shop belonging to the 3rd respondent-Devasthanam has come to an end by 27-02-2006. He submitted a representation dated 25-02-2006 seeking, in substance, extension of lease for a further period of three years at an enhanced lease amount. The petitioner states that the 3rd respondent is taking steps to evict the petitioner from the shop in question and that no proceedings have been initiated either for grant of extension of the lease to the petitioner or for conduct of an auction for grant of future leasehold rights. He is, therefore, before this court for a direction to the respondents to dispose of his representation dated 25-02-2006.

Admittedly, the petitioner's lease has come to an end and he has no right to continue in the shop in question. As and when a decision is taken by the competent authority to conduct an auction, the petitioner is at liberty to participate in such auction, if he is otherwise eligible. He cannot claim a right to continue in the shop. Existence of a legal right is the foundation for issuance of a Mandamus. No such legal right to continue in the property either pleaded, urged or established. There are no merits. The writ petition is dismissed at the stage of admission. No costs.

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GODA RAGHURAM, J

Dated:06-04-2006
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